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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/310,091	05/12/1999	YONG-SEOK PARK	K-089	8341

7590 10/03/2002

THE LAW OFFICES OF FLESHNER & KIM
P O BOX 221200
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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/310,091

Applicant(s)

PARK, YONG-SEOK

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al (6,405,372) newly cited.

As to claim 1, note Kim et al reference figures 1 and 2, discloses a method for changing channel information in a digital TV receiver, the claim method comprising...is met as follows: the microprocessor 116 determines a channel information of being changed from the broadcasting signal received at every time interval and stores the changed information, note col. 3, lines 39-66, compares the stored changed channel information and channel information stored already, for updating the channel information, note col. 4, lines 1-22.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al as applied to claim 1 above and further in view of Na et al newly cited.

As to 2 and 3 Kim teaches all the claim limitations as previously discussed with respect to claim 1 above, but fails to specifically teach a method where the steps includes the steps of determining a version of the received broadcasting signal of being changed which includes parsing PAT information from a transport stream and checking a version number in the parsed PAT information to determine the version change. However, Na et al, in a digital broadcast receiving/recording apparatus and method, teach a method of transferring a single program from among the stream of multi-program received by a receiver after a receiver parses program guide information in the MPEG-TS and displays the parsed program guide information on the on-screen graphic display. Na further teaches an input device inputs the a program number of an intended program, and the receiver having a first digital interface extracts a transport stream of the received transport stream, and transfers the extracted transport stream as a single program transport stream together with the corrected program association table (PAT) including the program number and the corresponding program information and where the version number is checked to determine the version change, note col. 3, lines

16-52.

Therefore the examiner submits that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the Kim et al system with such teachings of transferring changed program information as taught by Na et al in order to automatically configure the change in channel information between a digital TV receiver and other digital interfaces.

As to claims 4-8, Kim all teaches the claim limitations as previously discussed with respect to claim 1, but fails to specifically teach the claim limitations with respect to claims 4, 5, 6, 7 and 8. However Na teaches a method further comprising determining a repeater of being switched if it is found that the channel information is changed, stored store the changed channel information and storing the changed channel information if it is found that the repeater is not changed, and maintaining existing channel information if it is found that the repeater is changed, note col. 4, lines 4, lines 38-66, Na further teaches a method where storing the channel information further comprises, starting a PAT parsing, determining the PAT parsing conducted presently of being an initial PAT parsing, storing each channel information in a first data base to form a first channel list, if it is found that a channel information change as a result of the determination, and clearing the first channel list, and storing the changed channel information in a second data base, to form a second channel list, if it is found that the PAT parsing is not the initial PAT parsing as a result of the determination, note col. 4, line 45-col. 5, line 44, and further teaches a method where the determining step further comprises providing a PMT parsing start command upon completion of the PAT parsing, determining the PMT

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parsing conducted presently of being an initial PMT parsing, storing PMT information in the data base, and providing a PMT completion signal, if it is found that the PMT parsing conducted presently is the initial PMT parsing as a result of the determination, if it is found that the PMT parsing conducted presently is not the initial PMT parsing as a result of the determination, storing the changed PMT information in a second data base and comparing the first channel list and the second channel list to check added or canceled channel, updating the channel information upon completion of the channel check and providing a PMT completion signal, note col. 4, line 45-col. 5, line 44 and col. 6, lines 25-59, and the method where determining the steps further comprises providing a PMM information processing command after storing the PMT information in the first data base, note col. 5, lines 23-43.

Therefore the examiner submits that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the Kim et al system with such teachings of transferring changed program information as taught by Na et al in order to automatically configure the change in channel information between a digital TV receiver and other digital interfaces.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection discussed above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ozawa et al (6,343,379) disclose a receiver and program updating method.

Thompson et al (6,357,046) disclose systems and methods for continually updating and retrieving interactive video information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is 703-306-0377.



Annan Q. Shang
September 16, 2002



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600